



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/691,900	08/01/1996	JITENDRA APTE	2-4	2857
26652	7590	09/16/2004	EXAMINER	
AT&T.CORP. P.O. BOX 4110 MIDDLETOWN, NJ 07748			JEANTY, ROMAIN	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 09/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/691,900

Applicant(s)

APTE ET AL.

Examiner

Romain Jeanty

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9,21-31,34-36,41,42,48-52,54-60 and 1018 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9,21-31,34-36,41,42,48-52,54-60 and 1018 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to Amendment filed March 10, 2003. By the Amendment, claims 8-9, 19-20, 32-33 have been cancelled. Claims 1-7, 10-18, 21-31, 34-36, and 41-42, 48-52, 54-60 are pending in the application.

Claim Objections

2. Claim 1 is objected to because of the following informalities: It is unclear what the applicant means by the advertising software operating independent of the browser software. Examiner interprets it to mean the same as the method claim 22, the two applications are being displayed separately on the screen. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2, 5, 11, 22, 28, 31-33 are rejected under 35 U.S.C 102 (e) as being anticipated by Van Hoff et al (U.S. Patent 5,959,623), as set forth in paragraph number 4 of the Office Action mailed June 25, 2003.

Claim Rejections - 35 U.S.C. § 103

5. The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 35-36 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Hoff et al (U.S. Patent No 5,959,623) in view of Payne et al (U.S. Patent No. 5,715,314), as set forth in paragraph number 6 of the Office Action mailed June 25, 2003.

7. Claims 4, 7 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Hoff et al (U.S. Patent No 5,959,623) in view of Shavit et al (U.S. Patent No. 4,799,156).

As per claim 4, 7 and 29, van Hoff et al teach wherein the user selects more information but fail to explicitly disclose an interactive communication between the user and a sales agent. Shavit et al in the same field of endeavor, discloses a method for ordering services which permits a user to use interactive communication for communicating with a sales agent. Note column 16, lines 11-26. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified the disclosures of van Hoff et al to include the teachings of

Shavit et al in with the motivation to process business transactions between the user and the agent.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Hoff et al (U.S. Patent No 5,959,623) in view of Scroggie et al (U.S. Patent No. 5,970,469), as set forth in paragraph number 8 of the Office Action mailed June 25, 2003.

9. Claims 10, 34 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Hoff et al (U.S. Patent No 5,959,623) in view of Barnett et al (U.S. Patent No. 6,336,099), as set forth in paragraph number 9 of the Office Action mailed June 25, 2003.

10. Claims 13 and 18-20 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Van Hoff et al (U.S. Patent No 5,959,623) in view of Payne et al (U.S. Patent No. 5,715,314) and further in view of Bixler et al (U.S. Patent No. 6,483,895), as set forth in paragraph number 10 of the Office Action mailed June 25, 2003.

11. Claim 26 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Van Hoff et al (U.S. Patent No 5,959,623) in view of Payne et al (U.S. Patent No. 5,715,314), as set forth in paragraph number 11 of the Office Action mailed June 25, 2003.

12. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Hoff et al in view of Payne et al, in view of Bixler et al, as applied to claim 13 above and further in view of Shavit et al (U.S. Patent No. 4,799,156)

As per claim 14, van Hoff et al teach wherein the user selects more information but fail to explicitly disclose an interactive communication between the user and a sales agent. Shavit et al in the same field of endeavor, discloses a method for ordering services which permits a user to use interactive communication for communicating with a sales agent. Note column 16, lines 11-

Art Unit: 3623

26. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified the disclosures of van Hoff et al to include the teachings of Shavit et al in with the motivation to process business transactions between the user and the agent.

13. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Hoff et al (U.S. Patent No. 5,959,623) as applied to claim 13 above in view Payne et al (U.S. Patent No. 5,715,314) and further in view of Scroggie et al (U.S. Patent No. 5,970,469), as set forth in paragraph number 13 of the Office Action mailed June 25, 2003.

14. Claim 16 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Van Hoff et al in view of Payne et al, in view of Bixler et al, as applied to claim 13 above and further in view of Redford (U.S. Patent No. 5957695), as set forth in paragraph number 14 of the Office Action mailed June 25, 2003.

15. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Hoff et al in view of Payne et al and in view of Bixler as applied to claim 13 above and further in view of Taylor "Creating Cobol Web Pages with HTML", as set forth in paragraph number 15 of the Office Action mailed June 25, 2003.

16. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Hoff et al in view of Payne et al and in view of Bixler as applied to claim 13 above and further in view of Barnett et al (U.S. Patent No. 6,336,099) as set forth in paragraph number 16 of the Office Action mailed June 25, 2003.

17. Claim 27 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Van Hoff et al, in view of Payne et al, in view of Bixler et al as applied to claim 22 above and further in view of Shavit et al (U.S. Patent No. 4,799,156).

As per claim 27, van Hoff et al teach wherein the user selects more information but fail to explicitly disclose an interactive communication between the user and a sales agent. Shavit et al in the same field of endeavor, discloses a method for ordering services which permits a user to use interactive communication for communicating with a sales agent. Note column 16, lines 11-26. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified the disclosures of van Hoff et al to include the teachings of Shavit et al in with the motivation to process business transactions between the user and the agent.

18. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Hoff et al (U.S. Patent No 5,959,623) in view of Scroggie et al (U.S. Patent No. 5,970,469) as set forth in paragraph number 18 of the Office Action mailed June 25, 2003.

19. Claims 12, 23-25, 48-49, 51-52, 54-55 and 57-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Hoff et al (U.S. Patent No 5,959,623) in view of Bixler et al (U.S. Patent No. 6,483,895) as set in paragraph number 19 of the Office Action mailed June 25, 2003.

20. Claim 56 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Hoff et al in view of Bixler et al as applied to claim 48 above and further in view Payne et al (U.S. Patent No. 5,715,314), as set forth in paragraph number 20 of the Office Action mailed June 25, 2003.

21. Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Hoff et al in view of Bixler et al as applied to claim 48 above and further in view of Taylor "Creating Cobol Web Pages with HTML", as set forth in paragraph number 21 of the Office Action mailed June 25, 2003.

Art Unit: 3623

22. Claim 59 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Hoff et al in view of Bixler et al as applied to claim 48 above and further in view of Barnett et al (U.S. Patent No. 6,336,099) as set forth in paragraph number 22 of the Office Action mailed June 25, 2003.

23. Claim 60 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Hoff et al in view of Bixler et al and further in view of Taylor "Creating Cobol Web Pages with HTML", as set forth in paragraph number 23 of the Office Action mailed June 25, 2003.

Response to Arguments

24. Applicant's arguments filed October 1, 2003, have been fully considered but they are not persuasive.

Remarks

25. Applicant has amended claims 1, 13, 22, 35, and 41 to recite ... related to at least one page displayed to a user by said browser from said server... an advertisement displayed to the user by said advertising software comprises at least one link that and displays a page in said browser area when said link is selected by user, and applicant has argued that such limitation is not anticipated by van Hoff et al. In response, the examiner respectfully disagrees with applicant argument because van Hoff et al clearly teaches applicant's claimed limitation by showing that when a user clicks on an advertisement (i.e., content), the browser is used to display the content of the advertisement to the user. Note column 5, line 2-27 of van Hoff et al.

Applicant has further amended claim 48 to recite "... selects advertisements based on topics of pages viewed through said browser software...wherein said browser and advertising software further adapted to display an advertisement page by the browser when an advertisement

Art Unit: 3623

displayed by said advertising software is selected by the user”, and applicant has argued that this limitation is not anticipated by van Hoff et al. In response, the examiner disagrees with applicant’s argument because van Hoff et al teaches that limitation by showing that when a user clicks on an advertisement (i.e., content), the browser is used to display the content of the advertisement to the user. Note column 5, line 2-27 of van Hoff et al.

Applicant has amended claims 4, 17, and 27 to recite ...*interactive* ... communication and argued claims 4, 14, and 27 based on the disclosure of a feedback page in Taylor at page 219. In response, applicant is referred to the rejection in Paragraphs 7, 12, and 17 above. The examiner also notes that the Taylor’s reference was faxed to Applicant’s attorney.

Conclusion

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Gerbaulet (U.S. Patent No. 5,544,040) discloses a system for managing purchase transactions of goods using interactive communication.

b. Ohrn (U.S. Patent No. 6,356,874) discloses a system for ordering services utilizing interactive communication allowing a user to use a software for communication with a supplier/sale agent.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

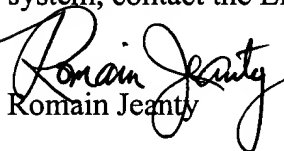
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

Art Unit: 3623

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Romain Jeanty

Primary Examiner

Art Unit 3623

September 9, 2004